

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(a)	
BENESCH, FRIEGLANDER, COPLAN & ARONOFF LLP	
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<i>Counsel to 8Loop Trans, Inc. and 8Loop Logistics, LLC</i>	
In re:	Chapter 11
Powin, LLC, et al., ¹ Debtors.	Case No. 25-16137 (MBK) Judge: Michael B. Kaplan (Jointly Administered)

**8 LOOP TRANS, INC. AND 8 LOOP LOGISTICS, LLC'S LIMITED OBJECTION
AND RESERVATION OF RIGHTS TO THE NOTICE OF DEADLINE TO ASSERT
LIENS IN CONNECTION
WITH BIDDING PROCEDURES AND UPCOMING SALE AND AUCTION**

8Loop Trans, Inc. and 8Loop Logistics, LLC (collectively, "8Loop"), by and through its undersigned counsel, hereby files this limited objection and reservation of rights (the "Limited Objection") in response to the *Notice of Deadline to Assert Liens in Connection with Bidding*

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: (i) Powin Project LLC [1583], (ii) Powin, LLC [0504], (iii) PEOS Holdings, LLC [5476], (iv) Powin China Holdings 1, LLC [1422], (v) Powin China Holdings 2, LLC [9713], (vi) Charger Holdings, LLC [5241], Powin Energy Ontario Storage, LLC [8348], (viii) Powin Energy Operating Holdings, LLC [2495], (ix) Powin Energy Operating, LLC [6487]. The Debtors' mailing address is 20550 SW 115th Avenue Tualatin, OR 97062.

Procedures and Upcoming Sale and Auction [D.I. 318] (the “Notice”) filed by the debtors in the above-captioned action (together the “Debtors”). In support of this Limited Objection, 8Loop respectfully states as follows:

PRELIMINARY BACKGROUND

1. 8Loop is a transportation and logistics service company that has provided, and continues to provide logistics, transportation, warehousing, inventorying, and inspection services to the Debtors. At present, 8Loop is storing various goods on behalf of the Debtors, at the Debtors’ request and direction.
2. The Notice lists certain goods held by 8Loop for the Debtors as being subject to known asserted liens, and lists a cure amount for payment owed to 8Loop.
3. 8Loop disputes that the cure amount listed is correct as of May 31, 2025, and would assert that the total cure arrearage as of May 31, 2025 is \$702,5854.47. Further, the proposed cure amount in the Notice does not include the amount owed for services rendered post-petition, nor does it include the amounts that will come due between the filing of this Limited Objection and the closing date of any sale of the Debtors’ assets.
4. To that extent, 8Loop objects to the Notice.
5. 8Loop further reserves all rights it holds whether by contract, at law, or in equity.

GENERAL BACKGROUND

6. 8Loop and the Debtors have had an ongoing business relationship under which 8Loop provided, and continues to provide, logistics, storage and inspection services (the “Services”) to the Debtors for certain goods (the “Goods”) belonging to the Debtors, suppliers to the Debtors, or customers of the Debtors. Per the terms of the relationship between 8Loop and the Debtors, 8Loop would invoice Debtors on a monthly basis for Services rendered.

7. In providing the Services, 8Loop incurs costs, both directly and indirectly. 8Loop must pay employees, maintain storage space, and incur other expenses in its provision of the Services. The time, space, and money spent on the Services also represents an opportunity cost—that is, 8Loop cannot do the same for other clients.

8. In December of 2024, the Debtors stopped paying 8Loop. As of May 31, 2025, the Debtors owed 8Loop approximately \$702,584.47. Additionally, since May 31, 2025, 8Loop has continued to supply Services to the Debtors for which they remain unpaid.

9. On June 10, 2025 (the “Petition Date”), the Debtors filed their petitions for bankruptcy.

10. On June 13, 2025, this Court ordered that the Debtors’ cases be jointly administered. [D.I. 58].

11. Debtors have made no payments to 8Loop subsequent to the Petition Date.

12. On July 1, 2025, the Debtors filed the *Motion of the Debtors for Entry of an Order (I) Designating a Stalking Horse Bidder and Approving Stalking Horse Bidder Protections (II) Approving Bidding Procedures by which Interested Parties May Bid and an Auction Sale Formatin Connection with the Sale of Substantially All of the Debtors’ Assets, (III) Approving Form of Asset Purchase Agreement, (IV) Approving Form of Notice to Be Provided to Interested Parties, (V) Authorizing the Assumption and Assignment of Assumed Contracts and Notice Procedures Thereto, (VI) Scheduling a Court Hearing to Consider Approval of the Sale to the Highest and Best Bidder, and (VII) Authorizing the Sale of Debtors’ Property Free and Clear of All Causes of Action and Claims* [D.I. 228, the “Sale Motion”]. In the Sale Motion, the Debtors propose to sell substantially all of their assets (the “Sale”) and designated FlexGen Power Systems, LLC (“FlexGen”) as the stalking-horse bidder for

those assets. Sale Motion ¶¶ 4-5. The Sale Motion further sets a proposed schedule for the Sale, under which this Court would hold a hearing to approve the Sale on August 6, 2025. Sale Motion ¶¶ 6-7.

13. On July 10, 2025, the Debtors filed the Notice, setting the deadline for all parties to assert any lien attached to or encumbering property listed on Exhibit A thereto (the “Inventory”). Notice ¶ 2. 8Loop understands that the Inventory comprises all of the estate property that FlexGen seeks to purchase and on which any party holds, or may hold, a lien. Part of the Inventory includes the Goods. The Notice lists the cure amount owed to 8Loop for the Services as approximately \$385,000.00, rounded to the nearest \$1,000.00. Notice, Ex. A at 2.

14. In addition, based on the proposed schedule in the Sale Motion, 8Loop anticipates that it will continue to provide the Services to the Debtors through at least the Sale closing date. The charges that the Debtors will accrue for these Services is not yet determined.

LIMITED OBJECTION

15. 8Loop is owed the full amount of all outstanding Payments.

16. The \$385,000.00 cure amount listed in the Notice is incorrect for the amounts due to 8Loop as of May 31, 2025, nor does it account for the outstanding charges for Services rendered subsequent thereto, or that will come due in the future for Services rendered.

17. 8Loop declines to waive its right to payment in full for Services rendered subsequent to May 31, 2025. Nor will 8Loop waive its right to payment for its provision of the Services for the indeterminate period between the hearing on the Sale and the Sale’s consummation.

18. Therefore, 8Loop objects to the Notice to the extent that the cure amount listed excludes any amounts currently owed, or that will come due in the future for Services rendered.

RESERVATION OF RIGHTS

19. This Limited Objection is submitted without prejudice and 8Loop reserves its rights to supplement, amend, and to further object to the Notice on any grounds that may be appropriate.

WHEREFORE, 8Loop requests that this Court modify the Notice to include all amounts currently due and owing to 8Loop under the Agreement, provide for payment for all future amounts that will become due and owing to 8Loop under the Agreement, and provide such other relief as is just and proper.

Dated: July 25, 2025

Respectfully submitted,

**BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP**

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CERTIFICATE OF SERVICE

I, Kevin M. Capuzzi, hereby certify that *8Loop Trans, Inc.'s and 8Loop Logistics, LLC's Limited Objection and Reservation of Rights to the Notice of Deadline to Assert Liens in Connection with Bidding Procedures and Upcoming Sale and Auction* was filed and served on July 25, 2025 via CM/ECF on all parties registered to receive notice in this case.

**BENESCH, FRIEDLANDER, COPLAN
& ARONOFF LLP**

/s/ Kevin M. Capuzzi
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